

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 3308

House Bill No. 3190*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting the first paragraph in Section 3(a), and substituting instead the following:

() "Public safety emergency services provider" means any municipality or county government that provides emergency services to the public. Such providers and/or services include, but are not limited to, emergency fire protection, law enforcement, police protection, emergency medical services, poison control, animal control, suicide prevention, and emergency rescue management.

AND FURTHER AMEND the original Section 6 by deleting the amendatory language of Tennessee Code Annotated, Section (a)(1)(B)(i) in its entirety and substituting instead the following:

(a)(1)(B)(i) Effective April 1, 1999, commercial mobile radio service subscribers and users shall be subject to the emergency telephone service charge, a flat statewide rate, not to exceed the business-classification rate established in Section 7-86-108(a)(2)(A). Provided, however, the specific amount of such emergency telephone service charge, and any subsequent increase in such charge, shall be determined by the board, but must be ratified by a joint resolution of the General Assembly prior to implementation. It is the intent of the general assembly that such rate be established at the lowest rate practicable consistent with the purposes of this act. The board shall report annually to the senate and house finance, ways and means committees on the status of statewide implementation of wireless enhanced 911 service and compliance with the federal communications commission order, the status and level

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of the emergency telephone service charge for commercial mobile radio service subscribers and users, and the status level, and solvency of the 911 Emergency Communications Fund. At such time that the requirements of the federal communications commission order and the provisions of this Act have been met, the board may reduce the amount of the emergency telephone service charge for commercial mobile radio service; provided, however, that such reduced amount must be adequate to cover all reasonable and necessary administrative and operating costs of the board, provide for the long-term solvency of the 911 Emergency Communications Fund which shall include compliance with the federal communications commission order, and those purposes stated in this Act.

The board shall notify each commercial mobile radio service provider of such rate, or any rate change, within seven (7) business days of the effective date of the ratification resolution. Each commercial mobile radio service provider shall implement the emergency telephone service charge not later than sixty (60) days after being notified of the rate, or rate change, by the board. The charge shall be assessed on all commercial mobile radio service subscribers and users whose principal wireless service address (or billing address if wireless service address is not known) is in Tennessee. No such service charge shall be levied on the trunks or service lines used to supply such service to commercial mobile radio systems. Such proceeds shall be paid to the board, and shall be deposited in the 911 Emergency Communications Fund. No other state

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agency or local government entity may levy an additional surcharge relating to the provisions of wireless enhanced 911 service.

AND FURTHER AMEND the second paragraph in Section 10(b) by deleting it in its entirety and substituting instead the following:

In the conduct of any hearing upon request or complaint, the administrative law judge may receive evidence in the form of affidavits in addition to minutes, transcripts, and other evidence of actions by an emergency communications district.

AND FURTHER AMEND Section 11(a)(2) by deleting it in its entirety and substituting instead the following:

(2) A schedule for the implementation and coordination of a 911 system plan for the state of Tennessee, which shall include the funding thereof. With respect to an emergency communications district's financial standing and the level and quality of 911 service, the board shall act as the deciding agency whenever such issues arise between an emergency communications district and other governmental units involving the 911 system.

AND FURTHER AMEND Section 28, by adding the following sentence after the words 'et seq.' and before the word "Under":

Provided, however, notwithstanding the language of this subdivision or any other law to the contrary, no such consolidation of emergency communications operations shall result in the creation of a separate emergency communications district within the boundaries of an existing emergency communications district.

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AND FURTHER AMEND the amendatory Section 9(b) by adding the following words between the words "such" and "emergency":

non-financially distressed

AND FURTHER AMEND the amendatory Section 10(b) by deleting the phrase "thirty (30)" and substituting instead the following:

sixty (60)

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